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7

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11
12 Plaintiff,
13 v.
14 ZACHARY BALES,
15 Defendant.

Case No. 2:23-cr-00196-RFB-NJK

STIPULATION TO CONTINUE
MOTION DEADLINES
(Sixth Request)

16
17 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
18 United States Attorney, and Lauren Ibanez, Assistant United States Attorney, counsel for the
19 United States of America, and Rene L. Valladares, Federal Public Defender, and Rick Mula,
20 Assistant Federal Public Defender, counsel for Zachary Bales, that the parties herein shall have
21 to and including October 30, 2024, to file any and all pretrial motions and notices of defense.

22 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
23 shall have to and including November 13, 2024, to file any and all responsive pleadings.

24 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
25 shall have to and including November 20, 2024, to file any and all replies to dispositive motions.

26 The Stipulation is entered into for the following reasons:

1 1. Defense counsel requires additional time to prepare pretrial motions. This
2 extension will not affect the trial date, which currently is set for January 27, 2025.

3 2. The defendant is out of custody and does not object to the continuance.

4 3. The parties agree to the continuance.

5 4. The additional time requested herein is not sought for purposes of delay, but
6 merely to allow counsel for defendant sufficient time to effectively litigate Mr. Bales's case.

7 5. Additionally, denial of this request for continuance could result in a miscarriage
8 of justice. The additional time requested by this Stipulation is excludable in computing the time
9 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
10 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,
11 Section 3161(h)(7)(B)(i), (iv).

12 This is the sixth stipulation to continue filed herein.

13 DATED this 30th day of September, 2024.

14 RENE L. VALLADARES
15 Federal Public Defender

 JASON M. FRIERSON
 United States Attorney

16 By /s/ Rick Mula

 By /s/ Lauren Ibanez

17 RICK MULA
 Assistant Federal Public Defender

 LAUREN IBANEZ
 Assistant United States Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ZACHARY BALES,

Defendant.

Case No. 2:23-cr-00196-RFB-NJK

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Defense counsel requires additional time to prepare pretrial motions. This extension will not affect the trial date, which currently is set for January 27, 2025.

2. The defendant is out of custody and does not object to the continuance.

3. The parties agree to the continuance.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for defendant sufficient time to effectively litigate Mr. Bales's case.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be

1 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
2 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into
3 account the exercise of due diligence.

4 The continuance sought herein is excludable under the Speedy Trial Act, Title 18,
5 United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18,
6 United States Code, § 3161(h)(7)(B)(i), (iv).

7 **ORDER**

8 IT IS THEREFORE ORDERED that the parties herein shall have to and including
9 October 30, 2024 to file any and all pretrial motions and notice of defense.

10 IT IS FURTHER ORDERED that the parties shall have to and including November 13,
11 2024 to file any and all responses.

12 IT IS FURTHER ORDERED that the parties shall have to and including November 20,
13 2024 to file any and all replies.

14 DATED this 1st day of October 2024.

15 
16 UNITED STATES DISTRICT JUDGE